

EXHIBIT AO

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
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6
7 IN RE: TERRORIST ATTACKS : 03-MDL-1570
8 ON SEPTEMBER 11, 2001 : (GBD) (SN)
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12 - - -
13 APRIL 6, 2021
14 THIS TRANSCRIPT CONTAINS
15 CONFIDENTIAL MATERIAL
16 - - -
17

18 Remote Videotaped
19 Deposition, taken via Zoom, of CHAS W.
20 FREEMAN, JR., commencing at 9:08 a.m., on
21 the above date, before Amanda
22 Maslynsky-Miller, Certified Realtime
23 Reporter and Notary Public in and for the
24 Commonwealth of Pennsylvania.

25
26 - - -
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30

1 in this litigation?

2 A. I mentioned the call on the
3 World Muslim League. I should say that
4 as Ambassador to Saudi Arabia, I headed a
5 diplomatic mission that consisted of
6 5,000 Americans working for me. Not a
7 small number of them were focused on this
8 issue, including the treasury attaché who
9 worked for me, including the intelligence
10 officers who worked for me.

11 And it was their concerns
12 that led me to call on the World Muslim
13 League and to remain abreast of
14 developments in this area.

15 Q. When you say "in this area,"
16 what do you mean "in this area"?

17 A. I mean the area of
18 charitable contributions and their
19 relationship to terrorist activities
20 abroad.

21 Q. What information did your --
22 the 5,000 Americans working for you
23 provide to you in that area?

24 A. That -- as I said, that was

1 Form.

2 MR. HAEFELE: You can
3 answer.

4 THE WITNESS: Several times
5 a year. The organization, the
6 Middle East Policy Council, lived
7 very much hand to mouth. The
8 purpose of my trips was mainly to
9 meet with individuals in the Saudi
10 private sector, as well as
11 American company officials, who
12 saw the value of the Middle East
13 Policy Council's work and,
14 therefore, encouraged their
15 headquarters in the United States
16 to provide funding.

17 BY MR. HAEFELE:

18 Q. Who are the senior Saudi
19 officials who took your meetings during
20 these fundraising trips that you
21 referenced in the -- to the 9/11
22 Commission investigators?

23 A. Typically, I would see the
24 King, the Crown Prince, the Minister of

1 Interior, the Foreign Minister or his
2 Deputy, the Chief of the Istikhbarat,
3 which is the foreign intelligence
4 organization of Saudi Arabia. I might
5 also see the Minister of Petroleum and
6 Minerals. All of whom are personal
7 friends.

8 Q. The King, the Crown Prince,
9 the Minister of Interior, the Foreign
10 Minister, the Chief of Foreign
11 Intelligence.

12 Are they all members of the
13 Saudi Royal Family?

14 A. Yes.

15 Q. Was the Minister of
16 Petroleum and Minerals also a member of
17 the Royal Family?

18 A. No, not at that time.

19 Q. Is he now?

20 A. Yes.

21 Q. When you went and did your
22 fundraising trips, were most of your
23 meetings with members of the Saudi Royal
24 Family -- most of your meetings in the

1 Kingdom of Saudi Arabia related to the
2 Saudi fundraising, were they mostly
3 members of the Saudi Royal Family?

4 A. The meetings that the
5 Saudi -- members of the Saudi Royal
6 Family were not, for the most part,
7 related to fundraising.

8 They were discussions of
9 regional issues during which I attempted
10 to ascertain their view of those issues
11 and how they evaluated the view of the
12 United States and our activities.

13 Q. So when I asked you about
14 who you met with for fundraising, you
15 referenced the King, the Crown Prince,
16 the Foreign Minister, the Chief of
17 Intelligence and the Minister of
18 Petroleum and Minerals.

19 Was that an error? They
20 were not the folks you met with on
21 fundraising trips?

22 A. Fundraising was not the
23 purpose of any of those meetings.

24 Q. All right. So is it your

1 testimony that you did not meet Saudi
2 Royal Family members for fundraising?

3 A. I did not go in and ask for
4 anything. That is correct.

5 Q. Well, as a result of your
6 meetings, did your -- end of your
7 meetings result in fundraising, raising
8 funds?

9 A. On occasion --

10 MR. GOETZ: Objection to
11 form.

12 BY MR. HAEFELE:

13 Q. How frequently of an
14 occasion?

15 A. On two occasions the Crown
16 Prince, after the meetings, sent a
17 representative to ask me if there was any
18 way he could be of help. And I said, is
19 he asking whether he wants to help me or
20 the organization?

21 And he said, they said he
22 wants to help you.

23 And I said, I do not want
24 help, but I would appreciate a gift to

1 the Middle East Policy Council.

2 On two occasions there were
3 gifts from the Crown Prince.

4 Q. You had indicated that the
5 Middle East Policy Council was, I think
6 you said -- I can't remember how you
7 framed it. But you phrased it something
8 along the lines of that it was living
9 hand to mouth or something like that.

10 A. Was it a tight budget, is
11 that what you were saying?

12 Q. Very tight budget.

13 Q. And so were the donations
14 from the Saudis an important aspect of
15 keeping the entity moving along?

16 A. Yes.

17 Q. You are currently the
18 president emeritus of the Middle East
19 Policy Council; is that right?

20 A. They have conferred that
21 title on me without asking me. I have
22 not objected.

23 Q. Do you do any activities
24 related to the Middle East Policy Council

1 MR. HAEFELE: Okay.

2 BY MR. HAEFELE:

3 Q. If you can look down to --
4 there's an entry there for a donation of
5 \$250,000 from the Crown Prince.

6 Do you see that, sir?

7 A. No, I don't see anything
8 like that. I'm looking. \$250,000? I
9 don't see it.

10 Q. Well, do you see --

11 A. No.

12 Q. Do you see a reference to
13 the \$199,000 from Abdullah al Saud?

14 A. Yes.

15 Q. Do you remember that wire
16 transfer coming in from the meeting with
17 CWF, who I assume is you?

18 A. That's me.

19 Q. And do you recall that a
20 meeting happened in or about -- preceding
21 April 30th that resulted in \$199,000 from
22 Abdullah al Saud?

23 A. Yes, I do remember that.

24 The first meeting I had with him on

1 behalf of -- when I was traveling on
2 behalf of the Middle East Policy Council,
3 I remember the meeting well.

4 And I'm aware that he
5 contributed afterwards, but I didn't
6 remember the amount, which is undoubtedly
7 an amount in Saudi riyals, not in
8 dollars.

9 Q. Do you still think that the
10 estimate that you gave in the 2009
11 interview, when you said that roughly
12 only one-quarter or -- I'm sorry, 1/12th
13 of the annual budget of the Middle East
14 Policy Council came from Saudi Arabia, is
15 that still accurate?

16 A. For 2008, I think it
17 probably is.

18 Q. And looking at this document
19 here, do you see other entities within
20 the Kingdom of Saudi Arabia that donated
21 large sums of money in -- in 1998?

22 For example, if you look
23 one, two, three, four, five, six, seven
24 lines from the bottom, Dr. Binladin

1 A. Yes, I do.

2 Q. And did that happen?

3 A. I've already mentioned that
4 it's after I left the meeting with the
5 Crown Prince that one of his staff
6 approached me and said he wished to help
7 me.

8 And I said, well, I don't
9 need anything.

10 He said, no, no, he's
11 insistent.

12 I said, I don't want
13 anything for myself, I would like -- I
14 would welcome a contribution to the
15 Middle East Policy Council.

16 I returned to my hotel.
17 About 1 o'clock in the morning there was
18 a knock on the door. It was somebody
19 from the Royal Diwan who handed me a
20 check for \$1 million and asked that I sit
21 down and write a thank you note
22 acknowledging receipt of the check, which
23 I did.

24 Q. And this was in addition to

1 the \$250,000 donation from the Crown
2 Prince that we referenced earlier,
3 correct?

4 MR. GOETZ: Objection.
5 Form.

6 THE WITNESS: Entirely
7 separate.

8 BY MR. HAEFELE:

9 Q. Entirely separate, you said?

10 A. Yes.

11 Q. The memo also references an
12 additional donation of \$300,000 to the
13 MEPC from consultant.

14 Do you recall that donation?

15 A. Yes, it was never provided.

16 Q. And the memo also references
17 your meeting with the Saudi minister of
18 culture and information.

19 Do you recall meeting with
20 him to discuss support for the MEPC?

21 A. Where is that? Okay. At
22 the bottom.

23 Yes, I did have a meeting.

24 Q. And it says that he was

1 that is, the apparent diversion of funds
2 at the local level from well-meaning
3 donations by people in the Kingdom which
4 were well-meaning.

5 Q. And that's the conversation
6 you had related to the World Muslim
7 League conversation you had with Engineer
8 Naseef?

9 A. It was far broader than
10 that.

11 Q. And when you say "it was far
12 broader than that," how broad was it?

13 A. I was concerned, as an
14 American Ambassador, that the Saudi
15 government was insufficiently attentive
16 to the growing extremism in some sectors
17 of Saudi society.

18 And this is a subject that I
19 discussed with those concerned with both
20 foreign and domestic intelligence on the
21 Saudi side.

22 So part of that discussion
23 related to the apparent ability of con
24 men and others at the local level to

1 And I don't recommend
2 managing that many people.

3 Q. All right. So let me make
4 sure I have it right.

5 How many people were working
6 for you when you were the Ambassador?

7 A. The Saudi diplomatic
8 mission, about 5,000 Americans and
9 something --

10 - - -

11 (Whereupon, a discussion off
12 the record occurred.)

13 = = =

21 BY MR. HAEFFELE:

22 Q. So if I got that right, then
23 it's somewhere in the neighborhood of
24 6,000 people, both 5,000 Americans and

1 then 1,000 non-Americans, that were doing
2 work for you while you were in the
3 Kingdom, correct?

4 A. Under my supervision. But
5 these represented people from multiple
6 U.S. government agencies, ranging from
7 the Department of Interior to the
8 Treasury Department to the intelligence
9 agencies to the military -- various
10 branches of the military, all under my
11 supervision.

12 Q. And it would be fair to say
13 that a good portion of those folks
14 were -- represented a considerable amount
15 of resources in the U.S. government
16 devoted to the work of the U.S.
17 government, correct?

18 A. Yes.

19 Q. And were a number -- a good
20 amount of those resources, or those 5,000
21 people, they dealt with the U.S.
22 government's role with regard to
23 anti-terrorism issues?

24 A. No. That was a minor part

1 President for coordinating all agency
2 operations in the country to which he or
3 she is assigned.

4 Q. But my question -- I'm
5 sorry, my question was -- I was limiting
6 my question to just terrorism issues.

7 Is it true that it's a yes,
8 if you just limit it to terrorism issues?

9 A. Yes. I would have been the
10 ultimate decision-maker on whether to
11 report something to Washington, whether
12 to make a recommendation on how to deal
13 with it, and often would have been the
14 person who went to meet a senior Saudi
15 official to make an argument on behalf of
16 the U.S. government.

17 Q. Just so I'm clear, though,
18 what my question is, is I'm asking you,
19 did you trust those sources of
20 information to make the assessments that
21 were derived out of the discussion group
22 in order to do your functions?

23 A. If you're asking whether I
24 had competent staff, yes, I did. But I

1 position on that correctly?

2 A. The existence of the lawsuit
3 certainly gave a great deal of leverage
4 and produced a compensation agreement.

5 My objection is not at all
6 to that. It is to the fact that there
7 were additional efforts being made, after
8 the settlement, to reopen the cases and
9 go at them again.

10 Q. I'm not asking you about
11 that. We're not involved in that. So
12 I'm just asking you, in general, because
13 I saw your declaration, and I heard what
14 you said about JASTA a few minutes ago.
15 But I'll move on to a different topic.

16 In your report, there's a
17 couple of citations you use that I looked
18 at that I was a little confused by.

19 At Page 12, you mention that
20 the WAMY support of Al Qaeda would be a
21 betrayal to the Kingdom of Saudi Arabia,
22 and you cited Footnote 37, Larry Wright's
23 book on -- Looming Tower, which I've
24 read.

1 I assume you've read that
2 entire book, too; is that fair?

3 A. Yes, I did.

4 Q. And the cite to his book is
5 Page 22 that talks about the Ministry of
6 Interior convincing the Binladin family
7 to cut Osama bin Laden off and seize his
8 shares.

9 What does that have to do
10 with WAMY and the betrayal to the
11 Kingdom? That's what you cited for
12 support.

13 A. No, I cited it to support
14 the piece that WAMY was regarded as an
15 instrument rather than an enemy of the
16 government.

17 Q. So WAMY was an instrument of
18 the Saudi government and, therefore,
19 since the Saudi government was taking
20 moves against Binladin, you cited Larry
21 Wright's book on that; is that what
22 you're saying?

23 A. The Saudi government was
24 adamantly against Osama bin Laden,

1 deprived him of his citizenship, refused
2 to re-admit him from Sudan when he was
3 persuaded to try to come back.

4 And on numerous occasions in
5 conversations with Saudi officials, they
6 expressed the hope that he would be
7 killed sooner rather than later.

8 Q. I know.

9 But I'm just -- I want to go
10 back to something you said a second ago.
11 WAMY was an instrument of the Saudi
12 government.

13 That's where you started,
14 correct?

15 A. WAMY was an organization
16 organized by the Saudi government for the
17 purposes of defending the Saudi version
18 of Islam domestically and propagating it
19 internationally.

20 It was not a direct
21 instrument of the Saudi government, but
22 it certainly was supporting the Saudi
23 government's objective.

24 Q. And the citation to Larry

1 Wright has nothing to do with WAMY but
2 just sort of the general --

3 A. Yes.

4 Q. -- the general proposition
5 that you made that the government was
6 anti-Osama bin Laden; is that what you're
7 saying?

8 A. That's why I cited it, yes.

9 Q. Okay. Same page, the next
10 footnote is 38. And you talk about swift
11 penalties by the Saudi government for Al
12 Qaeda or Al Qaeda sympathizers.

13 Are you with me so far, sir?

14 A. Yes, I am.

15 Q. You cited a 2020 news
16 article from Milli Chronicle.

17 That's a Saudi-based
18 publication, correct?

19 A. I think it's Turkish.

20 Q. Well, let's take a look.

21 A. I don't remember precisely.

22 Q. I can pull it up, if we need
23 to. I think -- one second.

24 Well, I have a substantive

1 probably a long -- it's probably
2 near the end, I think.

3 Keep going. Just scroll
4 down to the next page, please.

5 Next page, please. Next page.

6 That's it. Sorry. If you
7 go back, you can see the bottom,
8 there is Tidewater? Right there.

9 THE WITNESS: Yeah, that's
10 the comment that I quoted.

11 BY MR. MALONEY:

12 Q. So you quoted a blogger who
13 was commenting on Colonel Patrick Lang's
14 posting, correct?

15 A. Yes.

16 Q. And it looks like you lifted
17 this entire quote from Tidewater and put
18 it into your report; is that right?

19 A. Yes. Because it rang
20 absolutely true.

21 Q. Do you know who Tidewater
22 is?

23 A. No idea.

24 Q. So you're relying on an

1 unknown, anonymous blogger for this
2 information that's contained in here?

3 A. No. I know most of this
4 information on my own.

5 Q. Did you -- I'm sorry.

6 A. I found it a useful summary
7 of the politics of the region and the
8 origins of the hijackers from that
9 region.

10 Q. Do you know that -- which of
11 the hijackers are from that region?

12 A. Some of them have names
13 which are typical tribal names from that
14 region.

15 Q. I guess what I'm asking you
16 is, did you research this? Did you look
17 at the names of the Saudi hijackers and
18 determine or find out or investigate what
19 region of Saudi Arabia they were from?

20 A. Right after 9/11, when they
21 were identified, yes. I spent some time
22 doing that for the reasons given here.

23 Q. I'm sorry, you did that why?

24 A. For the reasons given here.

1 That is, there was a lot of
2 undifferentiated commentary about Saudi
3 Arabia that completely missed the
4 subtleties and nuances and the details
5 that are contained in this particular
6 entry that we're looking at.

7 Q. Okay. So just tell me, if
8 you can, what research you did on that
9 back in the day?

10 A. I looked at the list of
11 hijackers and I compared it to the tribal
12 names that I was aware of from that
13 region.

14 I also looked at the
15 published information on the hijackers,
16 and I was very struck by the dominance of
17 people from this region.

18 Q. Did the publication say that
19 they were from that region?

20 A. Which publication?

21 Q. The ones you just referred
22 to.

23 A. Names -- tribal names exist.

24 Q. I want to -- I want to --

1 hold on.

2 A. No --

3 Q. That's what I'm getting at.

4 You told me about tribal
5 names that you have some familiarity
6 with, and you also said there was
7 published material about where they were
8 from.

9 And I'm asking you, what
10 published material are you referring to?

11 A. The same material that was
12 ultimately collected in the 9/11
13 Commission report.

14 Q. Okay. So you're saying the
15 9/11 Commission report said where each of
16 the hijackers were from, what region?

17 A. No. It had a general
18 description of where they came from.

19 Q. Okay. And that's the
20 research you did at the time?

21 A. No. I looked at the names,
22 I went online to find what information I
23 could on the individuals.

24 And I was struck by the

1 A. No.

2 Q. Did you continue to gather
3 information and have personal, firsthand
4 experiences that inform your opinions in
5 this case?

6 A. Yes.

7 Q. And describe, just in
8 summary fashion, what those were in the
9 many years since you left the Foreign
10 Service before 2001.

11 MR. HAEFELE: Objection to
12 the form.

13 THE WITNESS: Most of my
14 meetings with the Crown Prince,
15 the King, the Foreign Minister,
16 the Minister of Petroleum, et
17 cetera, were general in nature,
18 covered a wide range of topics,
19 including regional situations and
20 the issue of security in the
21 Kingdom and the level of
22 cooperation with the United
23 States. And some of the reasons
24 that, on some occasions, the

1 American side host was satisfied
2 with that cooperation.

3 The talks also included
4 frequent contact with members of
5 the intelligence community here in
6 the United States to whom I
7 reported anything significant that
8 I heard and who often called me to
9 meet with them in planning.

10 And in considering the
11 meaning of intelligence here, I
12 should say that there is an
13 important distinction between hard
14 intelligence, which is firm
15 evidence, or at least facts, and
16 soft intelligence, which is the
17 interpretation of the facts.

18 And I am -- I was a
19 consultant because it was believed
20 that I had a good grasp of the
21 soft intelligence and would be
22 able to interpret facts as they
23 were related to me.

24 BY MR. GOETZ:

1 Q. So can you just give us an
2 estimate, Ambassador Freeman, of when you
3 talk about these meetings with Saudi
4 government officials, people in Saudi
5 business and also U.S. intelligence
6 officials that you've had in the years
7 since you left the Foreign Service that
8 have informed your opinions in the case,
9 how many meetings are we talking about?

10 A. Probably two to three a
11 year.

12 Q. For a period of how many
13 years?

14 A. I believe 15.

15 Q. You were asked a lot of
16 questions about the Mid East Policy
17 Council. I want to just ask you a very
18 few about that.

19 I think the implication
20 is -- here is that Saudi Arabia bought
21 the opinions of the Middle East Policy
22 Council and everybody associated with it.

23 Is that true?

24 A. No. The board was entirely

1 bin Laden? You don't know anything about
2 that?

3 A. No. It appears that Phil
4 Griffin tried to, and probably succeeded,
5 in getting Senator McGovern to write a
6 letter. It was not the Middle East
7 Policy Council.

8 Q. And, well, why is the Middle
9 East Policy Council writing letters and
10 entering notes in the files about the
11 incident?

12 A. If you look back at the fax
13 that you showed me, it contains several
14 subjects. And this is one of them.

15 It's of interest to Fuad
16 Rihani because he was an employee of the
17 Saudi Binladin Group.

18 Q. And your knowledge and
19 experience comes principally from your
20 time as Ambassador to the Kingdom and
21 your interactions with Saudi government
22 officials afterward and with, I think you
23 indicated, with U.S. intelligence
24 officers as well?

1 A. Yes.

2 Q. And you indicated that you
3 had two to three meetings a year over 15
4 years; is that correct?

5 A. Probably an average, yes.

6 Q. And you had indicated that
7 that -- two to three a year, that would
8 equate to about 30 to 45 meetings with
9 Saudi officials and U.S. officials
10 collectively, correct?

11 A. Not collectively. I was
12 referring to trips to Saudi Arabia and to
13 other destinations in the Gulf for
14 combined purposes, informing myself.

15 Q. So that includes -- so it
16 includes officials who are not Saudi
17 officials as well?

18 A. I met with many people who
19 were not Saudi, no.

20 Q. But those two to three
21 meetings a year, equating to about 30 to
22 45 meetings, is that something with Saudi
23 officials or others as well?

24 A. That -- that includes Saudi

1 officials.

2 Q. That includes non-Saudi
3 officials as well, is what I'm trying to
4 get at?

5 A. Well, of course. I mean,
6 when I travel to the Gulf, I didn't just
7 visit Saudi Arabia. That was not the
8 focus.

9 Q. So the 30 to 45 meetings
10 were including some Saudi officials and
11 including some non-Saudi officials?

12 A. No. They would have been
13 Saudi officials on each of my trips.

14 Q. All right. And many of
15 those meetings were meetings that you had
16 with Saudi officials that we went over
17 previously, where you were going to
18 solicit donations or -- in conjunction
19 with your role as the Middle East Policy
20 Council president, correct?

21 A. Yes. A variety of purposes.

22 Q. Were there meetings that you
23 had where you were not there regarding
24 your duties as the Middle East Policy

1 Council president?

2 A. Many meetings I had with
3 Saudi officials did not touch on the work
4 of the Middle East Policy Council.

5 Q. What would -- what would
6 your capacity have been to meet with
7 Saudi officials outside of -- after you
8 were no longer in the Foreign Service and
9 not as Middle East Policy Council
10 president?

11 A. A former Ambassador often
12 housed at the King's guest house, as a
13 courtesy, in Saudi Arabia, which I --
14 which I was grateful for.

15 Q. So you would -- go ahead,
16 I'm sorry.

17 You would take trips to
18 Saudi Arabia as a guest of the King?

19 A. The King had a facility
20 called --

21 MR. HAEFELE: Whoever is
22 talking, please mute.

23 THE WITNESS: I'm hearing
24 people talking.

7 BY MR. HAEFFELE:

8 Q. And that was after you were
9 no longer an Ambassador, right?

10 A. Yes.

11 Q. So most of your knowledge
12 and experience comes from your role as
13 the Ambassador and the information that
14 you were given as a result of your
15 relationships with Saudi royalty and
16 other Saudi officials; is that accurate?

17 A. Yeah, more or less.

18 Q. In the Tidewater quote we
19 looked at earlier --

20 MR. HAEFELE: Can we pull up
21 Exhibit-559?

22 BY MR. HAEFFELE:

23 Q. Before we do that -- while
24 we're looking at that, I have two other

1 yes?

2 A. Yes.

3 Q. Okay. Are you aware that,
4 according to U.S. intelligence reports,
5 the first confirmed attack on the Saudi
6 government and Saudi monarchy was in 2003
7 by Al Qaeda?

8 A. No, I'm not.

9 Q. You mentioned that, when Mr.
10 Haefele was just asking you questions,
11 and I think some of this was also covered
12 by Mr. Goetz, that you met with Saudi
13 government officials even long after you
14 left your post as Ambassador.

15 In fact, I think you just
16 testified you stayed at the King's guest
17 house.

18 I take it you relied on
19 things that Saudi officials, including
20 the Crown Prince and King, were telling
21 you, correct?

22 A. I am a skeptical person. I
23 make my own judgements about what is true
24 and what is not true. And one major

1 factor in that is how well I know the
2 individual who is making the statement.

13 Q. Did you ever have
14 intelligence reports that were -- you
15 were getting information that was
16 contrary from Saudi officials?

17 A. Sometimes, yes.

18 Q. And what did you do about
19 that? Did you take the side of the
20 American U.S. intelligence reports that
21 you were getting, or did you dismiss
22 them, or what did you do about that?

23 A. I tended to believe U.S.
24 reports more than I did Saudi reports,